

# UNITED STATES DISTRICT COURT

For the Southern District of Illinois

David Kraybill

Plaintiff(s)

David Mains, Donna Daniel, AIS, LLC.

Defendant(s)

Case Number: 21-1235-JPG

## MOTION AND AFFIDAVIT TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this motion, I answer the following questions under penalty of perjury:

1. If incarcerated:

A. I am being held at: Lawrence C.C.

I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months. NOTE: *You must have an authorized institutional officer complete the last page of this form.*

B. I declare one of the following:

☒ I have NOT had 3 or more civil actions dismissed as being frivolous, malicious, or for failure to state a claim and/or received 3 or more "strikes" under 28 U.S.C. § 1915(g).

☐ I am proceeding under 28 U.S.C. § 1915(g), based on my claim that I am in imminent danger of serious physical injury.

2. If not incarcerated:

A. Are you ☐ Yes ☐ No employed?

B. If employed, my employer's name and address are:

C. My gross pay or wages are: \$ \_\_\_\_\_, and my take-home pay or wages are: \$ \_\_\_\_\_ per (specify pay period) \_\_\_\_\_.

3. Other Income. In the past 12 months, I have received income from the following sources (check all that apply):

- |  |                                      |                                     |
|--|--------------------------------------|-------------------------------------|
| (a) Business, profession, or other               | <input type="radio"/> Yes            | <input checked="" type="radio"/> No |
| (b) Rent payments, interest, or dividends        | <input type="radio"/> Yes            | <input checked="" type="radio"/> No |
| (c) Pension, annuity, or life insurance payments | <input type="radio"/> Yes            | <input checked="" type="radio"/> No |
| (d) Disability or worker's compensation          | <input type="radio"/> Yes            | <input checked="" type="radio"/> No |
| (e) Gifts or inheritances                        | <input checked="" type="radio"/> Yes | <input type="radio"/> No            |
| (f) Any other sources                            | <input type="radio"/> Yes            | <input checked="" type="radio"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

Through the generosity of my parents I usually receive a stipend for commissary, clothing, to supplement the meager allocation provided by the Illinois Dept. of Corrections, and for various supplies and purchases, i.e. this typewriter, typing ribbon/correction ribbons, paper, pens, and not to forget hygiene supplies, soap, shampoo, deodorant, phone call minutes, etc., etc., etc.. For these purposes I usually receive a stipend of anywhere from one hundred-fifty to three hundred dollars a month. But due to my parents increasing age, they say that I should put some away for the future when they may not be around, because when their income stops, so might my stipends.

4. Amount of money that I have in cash or in a checking or savings account: None.
5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name (describe the property and its approximate value): Eight (8) shares in the Manitowoc Company, approximate value \$400.00 or less??
6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (describe and provide the amount of the monthly expense): None.
7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support: None.
8. Any debts or financial obligations (describe the amounts owed and to whom they are payable):  
\$2,500.00 owed to attorney Douglas H. Johnson, upon billing.

DECLARATION: I declare under penalty of perjury that the above information is true. I understand that a false statement may result in a dismissal of my claims.

Date: October 8th, 2021

David Kraybill  
Movant's signature

David Kraybill  
Printed name